



IFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor: Roger Farnholtz Confirmation No.: 9216  
Serial No.: 10/804,360 Examiner: Unknown  
Filing Date: March 19, 2004 Group Art Unit: 3763  
Docket No.: 1001.1690102 Customer No.: 28075  
For: TORQUEABLE AND DEFLECTABLE MEDICAL DEVICE SHAFT

**TRANSMITTAL SHEET**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**CERTIFICATE UNDER 37 C.F.R. § 1.8:** I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Amendment  
Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450  
on this 13<sup>th</sup> day of August 2004.

By

  
David M. Crompton

We are transmitting herewith the attached:

- ☐ Amendment  
☐ No additional claim fee required  
☐ The claim fee has been calculated as shown:

CLAIMS AS AMENDED							
	(3)	(4)	(5)	SMALL ENTITY		OTHER	
	REMAINING CLAIMS	HIGHEST PAID	EXTRA	RATE	ADD'L FEE	RATE	ADD'L FEE
TOTAL CLAIMS	-	=		X 9=	\$	X 18=	\$
INDEPENDENT CLAIMS	-	=		X 43=	\$	X 86 =	\$
( ) FIRST MULTIPLE DEPENDENT CLAIM				+ 145 =	\$	+ 290 =	\$
TOTAL				\$		\$	

[ ] A check in the amount of \$\_\_\_\_\_ is enclosed. Itemization:

Fee Code \_\_\_\_\_ \$

Fee Code \_\_\_\_\_ \$

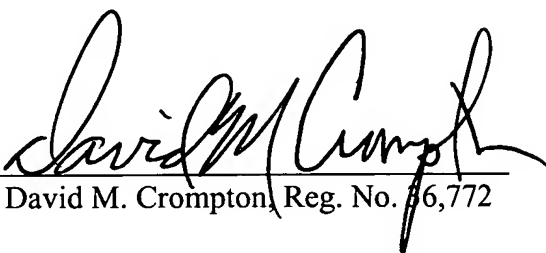
Fee Code \_\_\_\_\_ \$

[ ] Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established.

[XX] Other: Information Disclosure Statement and Form PTO-1449

[XX] Return Receipt Postcard (MPEP 503).

[XXXX] Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By:   
David M. Crompton, Reg. No. 66,772

David M. Crompton  
CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, MN 55403-2420  
Telephone: (612) 677-9050  
Facsimile: (612) 359-9349



**P A T E N T**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Roger Farnholtz	Confirmation No.:	9216
Serial No.:	10/804,360	Examiner:	Unknown
Filing Date:	March 19, 2004	Group Art Unit:	3763
Docket No.:	1001.1690102	Customer No.:	28075
For:	TORQUEABLE AND DEFLECTABLE MEDICAL DEVICE SHAFT		

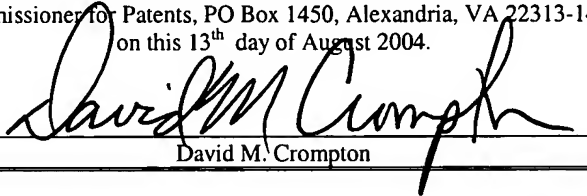
**INFORMATION DISCLOSURE STATEMENT**

**CERTIFICATE UNDER 37 C.F.R. § 1.8:** I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

on this 13<sup>th</sup> day of August 2004.

By

  
David M. Crompton

Dear Sir:

Pursuant to the obligations of candor and good faith imposed by 37 C.F.R. § 1.56, the documents listed on the attached Form PTO-1449 are hereby disclosed and brought to the attention of the Examiner.

Pursuant to 37 C.F.R. § 1.98(d), the instant application relies on the earlier filing date of prior application Serial No. 09/863,152, filed May 22, 2001, under 35 U.S.C. § 120. The information disclosure statement submitted in the earlier application is in compliance with 37 C.F.R. § 1.98(a)-(c).

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each non-U.S. patent/publication document or other information listed on the enclosed Form PTO-1449 is provided, with the exception of the references cited in the earlier application which are not required to be provided for this application in accordance with 37 C.F.R. § 1.98(d).

No representation is intended to be made hereby that any of the cited references establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim of the present case.

Respectfully submitted,

Roger Farnholtz

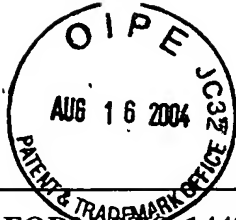
By his Attorney,

Date: \_\_\_\_\_

8/13/04



David M. Crompton, Reg. No. 36,772  
CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, MN 55403-2420  
Telephone: (612) 677-9050  
Facsimile: (612) 359-9349



<b>FORM PTO-1449</b>	<b>Atty. Docket No.:</b> 1001.1690102	<b>Serial No.:</b> 10/804,360
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	<b>Applicant:</b> Roger Farnholtz	
	<b>Confirmation No.:</b> 9216	
	<b>Filing Date:</b> March 19, 2004	<b>Group Art:</b> 3763

**U.S. PATENT DOCUMENTS**

Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
AA	4,586,923	05/06/1986	Gould et al.	
AB	4,597,755	07/01/1986	Samson et al.	
AC	4,664,113	05/12/1987	Frisbie et al.	
AD	4,719,924	01/19/1988	Crittenden et al.	
AE	4,723,936	02/09/1988	Buchbinder et al.	
AF	4,748,969	06/07/1988	Wardle	
AG	4,757,827	07/19/1988	Buchbinder et al.	
AH	4,886,067	12/12/1989	Palermo	
AI	4,898,577	02/06/1990	Badger et al.	
AJ	4,906,230	03/06/1990	Maloney et al.	
AK	4,920,980	05/01/1990	Jackowski	
AL	4,940,062	07/10/1990	Hampton et al.	
AM	4,960,134	10/02/1990	Webster, Jr.	
AN	4,998,916	03/12/1991	Hammerslag et al.	
AO	5,057,092	10/15/1991	Webster, Jr.	
AP	5,060,660	10/29/1991	Gambale et al.	
AQ	5,125,896	06/30/1992	Hojeibane	
AR	5,165,421	11/24/1992	Fleischhacker et al.	
AS	5,190,050	03/02/1993	Nitzsche	
AT	5,195,968	03/23/1993	Lundquist et al.	
AU	5,228,441	07/20/1993	Lundquist	
AV	5,242,441	09/07/1993	Avitall	
AW	5,254,088	10/19/1993	Lundquist et al.	

Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
AX	5,255,679	10/26/1993	Imran	
AY	5,271,382	12/21/1993	Chikama	
AZ	5,277,199	01/11/1994	DuBois et al.	
BA	5,279,596	01/18/1994	Castaneda et al.	
BB	5,318,525	06/07/1994	West et al.	
BC	5,318,526	06/07/1994	Cohen	
BD	5,327,905	07/12/1994	Avitall	
BE	5,334,145	08/02/1994	Lundquist et al.	
BF	5,334,169	08/02/1994	Brown et al.	
BG	5,354,297	10/11/1994	Avitall	
BH	5,368,564	11/29/1994	Savage	
BI	5,383,852	01/24/1995	Stevens-Wright	
BJ	5,431,168	07/11/1995	Webster, Jr.	
BK	5,462,527	10/31/1995	Stevens-Wright et al.	
BL	5,472,017	12/05/1995	Kovalcheck	
BM	5,487,757	01/30/1996	Truckai et al.	
BN	5,489,270	02/06/1996	van Erp	
BO	5,514,108	05/07/1996	Stevens	
BP	5,545,200	08/13/1996	West et al.	
BQ	5,562,619	10/08/1996	Mirarchi et al.	
BR	5,571,085	11/05/1996	Accisano, III	
BS	5,573,520	11/12/1996	Schwartz et al.	
BT	5,599,319	02/04/1997	Stevens	
BU	5,642,736	07/01/1997	Avitall	
BV	5,656,030	08/12/1997	Hunjan et al.	
BW	5,662,606	09/02/1997	Cimino et al.	
BX	5,702,373	12/30/1997	Samson	
BY	5,741,320	04/21/1998	Thornton et al.	
BZ	5,741,429	04/21/1998	Donadio, III et al.	
CA	5,807,249	09/15/1998	Qin et al.	

Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
CB	5,820,592	10/13/1998	Hammerslag	
CC	5,823,955	10/20/1998	Kuck et al.	
CD	5,865,800	02/02/1999	Mirarchi et al.	
CE	5,882,333	03/16/1999	Schaer et al.	
CF	5,891,114	04/06/1999	Chien et al.	
CG	5,897,529	04/27/1999	Ponzi	
CH	5,897,537	04/27/1999	Berg et al.	
CI	5,906,590	05/25/1999	Hunjan et al.	
CJ	5,951,539	09/14/1999	Nita et al.	
CK	5,971,975	10/26/1999	Mills et al.	
CL	6,013,052	01/11/2000	Durman et al.	
CM	6,077,258	06/20/2000	Lange et al.	
CN	6,165,152	12/26/2000	Becker et al.	
CO	6,251,092	6/26/2002	Qin et al.	
CP	6,716,707	04/06/2004	Farnholtz	

#### FOREIGN PATENT DOCUMENTS

	Document No.	Date	Country	Translation Yes No

#### OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



ITW

INFORMATION DISCLOSURE STATEMENT ADDENDUM TO FORM PTO/SB/08A  
for Robert McGee, #29/193,898 filed on 11/17/2003

#5,706,345 1/06/98 Inventor: Allen, Title: Over the Head Hands Free Phone Holder

This utility patent represents a portable phone holder that uses spring loaded gripper fingers to hold the phone in a rigid plastic frame. It is distinct from applicant's design.

#6,374,090 4/16/2002 Inventor: Morales, Title: Cellular Telephone Handset Holder

This utility patent represents a clip which fits onto the outer portion of one ear but does not have the full headset holder of applicant's design.

#6,038,312 3/14/2000 Inventor: Bromley, Title: Telephone Supporting Device

This utility patent describes a headband with a swiveling phone holder and a screw controlled head adjustment feature. It is distinct from Applicant's design.

#5,828,749 10/27/1998 Inventor: Brodskiy Title: Phone Holder Kit

This utility patent represents a headset with a cradle having a padded platform to hold a phone. Its disclosure is distinct from Applicant's.

#5,407,113 4/18/1995 Inventor: Golliher, Title: Over the Head Hands-Free Phone Holder

This utility patent discloses a strap to hold a phone to a user. The patent does not disclose the design of Applicant.

#D,478,072 08/05/2003 Inventor: Chow et al., Title: Telescoping Hands-Free Adaptor for Cellular Phone

This design patent shows a headset to hold a cell phone. The ornamental design shows two telescoping portions, a suction cup portion, and a different holding portion which is distinct from applicant's design.

#D,402,294 12/08/1998 Inventor: Slappey, Title: Phone Holding Headset for Head Mounting of a Phone

This design patent shows an adjustable headset to hold a cell phone. The ornamental design is distinct from applicant's design.



#D,353,821 12/27/1994 Inventor: Hammer, et al., Title: Telephone Support Device for Head Mounted Use

This design patent shows the ornamental design for a headset to hold a cell phone. This design is also distinct from applicant's design.

#D,333,306 2/16/1993 Inventor: Ferraro Title: Headgear to Hold a Telephone Handset on a user

This design patent shows the ornamental design for an adjustable headset to hold a cell phone. Its design is distinct from applicant's.

CERTIFICATE OF MAILING

The undersigned hereby certifies that a true copy of the foregoing was mailed, via United States Mail, postage prepaid to The Commissioner of Patents and Trademarks, Washington, D.C. 20231 this 11 day of AUGUST, 2004.



Kevin L. Klug  
Attorney at Law  
Registered Patent Attorney #38756  
11237 Concord Village Avenue  
St. Louis, MO 63123-6903  
314-849-2273



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 1

**Complete if Known**

Application Number	29/193,898
Filing Date	11/17/2003
First Named Inventor	Robert McGee
Art Unit	2913
Examiner Name	
Attorney Docket Number	

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 5,706,345	01-06-1998	Allen	All
		US- 6,374,090	04-16-2002	Morales	All
		US- 6,038,312	03-14-2000	Bromley	All
		US- 5,828,749	10-27-1998	Brodskiy	All
		US- 5,407,113	04-18-1995	Golliher	All
		US- D478,072	08-05-2003	Chow et al.	All
		US- D402,294	12-08-1998	Slappey	All
		US- D353,821	12-27-1994	Hammer et al.	All
		US- D333,306	02-16-1993	Ferraro	All
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.